

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

JOSE M. LORIE VELASCO,  
HEIDI R. BERRIOS DE LORIE,  
HEIDI MARIE LORIE BERRIOS,  
GIANINE SUSETTE LORIE BERRIOS,  
ROLANDO JOSE SANTIAGO BERRIOS,  
and the conjugal partnership  
formed by Jose M. Lorie Velasco  
and Heidi R. Berrios de Lorie,

Civil No. 98-1867 (CCC)

Plaintiffs,

vs.

K-MART CORPORATION,  
ABC INSURANCE COMPANY,  
DEF INSURANCE COMPANY,

Third-Party Plaintiffs,

vs.

GROUP SERVICE SYSTEM, COOPERATIVA  
DE SEGUROS MULTIPLES DE PUERTO RICO,

Third-Party Defendants.

\* \* \* \* \*

Deposition of: HEIDI R. BERRIOS SAAVEDRA DE LORIE

Taken by: Defendant

Date: December 15, 2000

Time: 4:03 p.m.

Place: RAMIREZ LAVANDERO, LANDRON & VERA  
151 Fortaleza Street, Penthouse II  
San Juan, PR 00901

ORIGINAL

EXHIBIT 3

- BERRIOS DE LORIE -

22

1 was looking at the things and they were there, I could  
2 hear them, but they weren't exactly right with me.  
3 They were in the aisle.

4 Q. That you know, did any of your girls  
5 witness the fall that your husband suffered?

6 A. No.

7 Q. Could you please--

8 A. No, because they got scared too. They  
9 didn't see him.

10 Q. Okay. Could you please describe the way  
11 your husband was lying on the floor when you saw him.  
12 Was he sitting, was he--

13 A. Like this. On his back. Completely face  
14 up.

15 Q. Okay. So he was lying completely on his  
16 back?

17 A. Uh-huh.

18 Q. He wasn't sitting or anything?

19 A. No. He was laying on the floor.

20 Q. You said when you got there you felt the  
21 floor slippery. Did you see any substance or any  
22 liquid on the floor--

23 A. No. It wasn't wet.

24 Q. --like water?

- BERRIOS DE LORIE -

23

1           A.     It was shiny. But it wasn't wet. Very,  
2     very shiny.

3           Q.     So you didn't see any liquid or, you know,  
4     like a soda spill or shampoo?

5           A.     No.

6           Q.     Nothing?

7           A.     No.

8           Q.     Or maybe a piece of paper?

9           A.     No.

10          Q.     Just shiny and slippery?

11          A.     Uh-huh.

12          Q.     I'm sorry to ask you at this moment, but  
13     do you remember what K-Mart store did this accident  
14     happen?

15          A.     The Trujillo Alto store.

16          Q.     Do you remember the approximate time of  
17     the incident?

18          A.     I know we must have gotten there about  
19     4:00, 4:15 or so.

20          Q.     So the accident happened more or less--

21          A.     4:15, 4:20. I don't know exactly, but  
22     more or less in that neighborhood.

23          Q.     Did you visit the store at Trujillo Alto  
24     frequently?